



# EPA Daily News Briefing

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**TO: ADMINISTRATOR AND SENIOR EXECUTIVES**  
**DATE: THURSDAY, DECEMBER 15, 2016 7:00 AM EST**

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## ADMINISTRATOR:

## Democrats To Use Opposition To

## **Trump's EPA Pick To Mobilize Base.**

Politico (12/14, Schor) reports that Democrats are hoping to rally their base around Trump's nomination of Oklahoma Attorney General Scott Pruitt as his EPA chief pick by turning the vote "into a referendum on whether Republicans believe humans are causing global warming." In particular, Democrats are "eyeing three Republicans — Lindsey Graham (R-S.C.), Susan Collins (R-Maine), and Lamar Alexander (R-Tenn.) — as the most likely to oppose Pruitt, given their previous votes to affirm that human activity is warming the planet."

## **Zycher: Trump Nominee Scott Pruitt Will Address EPA Regulatory**

**Overreach.** In an op-ed in The Hill, (12/14, Zycher) Benjamin Zycher, John G. Searle scholar at the American Enterprise Institute, supports the nomination of Oklahoma Attorney General Scott Pruitt for EPA administrator as a response to the agency's "regulatory overreach." Zycher argues that the head of the EPA is not in charge of "sav[ing] the planet," but instead, meant to "implement and administer the environmental laws enacted by Congress."

**Sierra Club Launches Ad Campaign Against Pruitt's EPA Nomination.** The Hill (12/14, Cama) reports that the Sierra Club has launched a \$10,000 digital ad campaign aimed at convincing "enough senators to keep Scott Pruitt, Oklahoma's attorney general, from receiving the 51 votes he needs for confirmation." Considering Republicans have 52 states in the Senate, Democrats and Independents would need to gain votes from three Republicans to block Pruitt's nomination.

## **CLIMATE CHANGE:**

**G20 Task Force Urges Linking Energy Executives' Compensation To Climate Risk.** Bloomberg News (12/14, Shankleman) reports that according to a panel advising the G20 nations, executive compensation at energy companies should be linked to effort to reduce climate risk. "Remuneration policies should consider how tighter pollution laws, extreme weather events and efforts to reign in fossil fuels could impact creditors and shareholders, according to the Task Force on Climate-Related

Financial Disclosures." Almost 30 energy companies and utilities offer their chief executives monetary rewards for the management of climate change, and another 17 reported monetary incentives for their board members, according to the CDP. The Wall Street Journal (12/14, Douglas) reports the task force described a myriad of ways climate change could affect companies and recommended companies publish estimates of how rising temperatures or policy changes could affect profits. The Financial Times (12/14, Ralph) reports that the task force was led by billionaire Michael Bloomberg and Mark Carney, governor of the Bank of England. The AP (12/14, Kirka) report that Carney and Bloomberg wrote Wednesday in the Guardian newspaper, "The challenge is that investors currently don't have the information they need to respond to these developments," adding, "This must change if financial markets are going to ... allocate capital to manage risks and seize new opportunities." Reuters (12/14, Chestney) also reports.

## **Report: Solar Industry Booming, Will Continue To Grow Through Decade.**

An "optimistic" report from the Solar Energy Industries Association and market analysis firm GTM Research says the US solar industry "saw its biggest boom yet this year" and its growth is expected to continue "through the rest of the decade," the Washington Post (12/14, Harvey) reports. The report "comes at a time of mounting uncertainty for the future of renewable energy and environmental policy in the United States" as President-elect Trump's nominees "for the heads of the federal energy and environmental agencies" have prompted "major concern" among environmentalists. Nonetheless, the report "assum[es] no major changes in the pace of wind and solar expansion over the next few years as a result of the presidential transition."

**Trump Advisor Likens Climate Change Consensus To Belief Earth Is Flat.** CNN (12/14, Scott) reports on its website that Trump advisor Anthony Scaramucci "said the scientific community gets a lot of things wrong during a conversation about climate change." Scaramucci told CNN, "There are scientists that believe that [climate change is] not happening," adding, "There was overwhelming science that the earth was flat and there was an overwhelming science that we were the center of the world."

Politico (12/14, Nelson) reports Scaramucci said Trump aims to advance US energy independence, changing the country's "geopolitical footprint." Scaramucci said "it's a genuine commitment to clean air and clean water ... whether you accept the science or not," adding that "it's better for the United States and better for the world to have the US be energy independent." The Washington Post (12/14, Harvey) also reports.

### **Poll: Most Latinos Back Strong**

**Environmental Policies.** NBC News (12/14) reports that a poll by Latino Decisions found that "about 70 percent of Hispanics want the president to take a proactive role in combating global warming and climate change," and "a large majority of Latino voters support clean energy development." Other organizations such as Pew Hispanic have found similar support. NBC goes on to highlight a number of those past polls.

### **Jewell To Say Researchers Must Resist Efforts To Skew Science.**

Reuters (12/14, Rucker) reports Interior Secretary Sally Jewell is due to say on Wednesday that scientists must confront climate change deniers a resist possible effort by Donald Trump to sideline climate research. Jewell will say that national historic sites such as the 17th century colonial outpost at Jamestown could eventually be swallowed by rising seas. Christine McEntee, head of the AGU, "said her members were concerned that the Trump administration might not value scientific discovery and rigor," but climate researchers "were prepared to defend their methods and discoveries." The Washington Post (12/14, Kaplan) reports similarly.

### **Investors Paying Increasing Attention To Stocks' Social, Environmental**

**Risks.** The New York Times (12/14, Smith) reports that investing based on so-called ESG (environmental, social and corporate governance) factors "has mushroomed in recent years, driven in part by big pension funds and European money managers that are trying new ways to evaluate potential investments." The idea is growing and has changed over the last three decades from simple targeting of "sin stocks," such as tobacco, alcohol and firearms, to a potential "warning flag for stock-market darlings," such as Pfizer and Volkswagen. The Times notes that MSCI's ESG index downgraded Volkswagen two to its third-

lowest rating two years before its emissions scandal, Statoil "ranks near the top based partly on its record of spills and low emissions" and Chevron "ranks near the bottom with higher-risk operations." The Times reports that "surveys have shown that younger investors like the approach" and that the Department of Labor "ruled last year that investing fiduciaries could consider ESG factors in their investment decisions as long as they did not hurt expected returns."

### **Environmentalists Petition EPA To Bar Exxon Mobil From Federal**

**Contracts.** E&E Publishing (12/14, Hess) reports that "Waterkeeper Alliance and its 300 organizations and affiliates" has asked the EPA to bar Exxon Mobil "from securing federal contracts due to concerns about the company's past actions related to climate change." Exxon Mobil spokesperson Scott Silverstri described the allegations about climate misinformation as "an inaccurate distortion of the company's nearly 40-year history of research on the subject," stating, "ExxonMobil believes the risks of climate change are serious and warrant thoughtful action. Addressing these risks requires broad-based, practical solutions around the world."

## **ENERGY:**

### **WPost A1 Analysis: Oil And Gas Industry Is Quickly Amassing Power In Trump's Washington.**

A front-page analysis in the Washington Post (12/14, A1, Eilperin, Mufson, Rucker) reports on the growing influence of the "fossil fuel industry" on the incoming Administration, describing how "the oil, gas and coal industries are amassing power throughout Washington." The Post says that while registered lobbyists were "banned" from Trump's transition team in November, some "are serving as informal liaisons between transition staffers and the industry."

## **ENFORCEMENT:**

### **Gary, IN Settles Clean Water Act Violations With US, Indiana.**

The AP (12/14) reports that federal and Indiana authorities have reached an agreement with the city of Gary, IN "to resolve longstanding violations of the Clean Water Act, including the release of raw sewage."

The agreement announced on Wednesday includes the Justice Department, the Environmental Protection Agency, the Indiana Department of Environmental Management and the Gary Sanitary District. The city will pay a \$75,000 civil fine “and take steps starting over the next 25 years to eliminate the problems.”

## **INTERNATIONAL:**

### **Germany May Miss 2020 Climate**

**Targets.** [Reuters](#) (12/14) reports that a German environment ministry report showed on Wednesday that the country risks missing its 2020 target for cutting greenhouse gas emissions by 40 percent from 1990 levels. Germany has stepped up efforts since 2014 to cut emissions, expecting to save between 62 million and 78 million tonnes of carbon dioxide “but now the government expects savings of just 58 million tonnes, the report said.” Reuters reports that “industry has lobbied hard to keep coal mines running to avoid power supply bottlenecks.”

## **OTHER NEWS:**

### **Trump Team Disavows Survey Seeking Names Of DOE Climate Change Workers.**

[Reuters](#) (12/14, Gardner, Stephenson) reports that President-elect Trump’s transition team has disavowed a survey sent to the Energy Department seeking the names of agency employees working on climate change. The survey “asked for the names of workers and contractors who had attended UN climate meetings” as well as “the names of those who had attended meetings on the social cost of carbon.” The Department said Monday that it would not comply with the survey. Trump spokesman Sean Spicer said, “The questionnaire was not authorized or part of our standard protocol. ... The person who sent it has been properly counseled.” Brian Ross said on [ABC World News Tonight](#) (12/14, story 7, 2:45, Muir) there are “fears by employees and scientists that they will be targets of a witch hunt by a new president who has repeatedly insisted climate change is a scam.”

[TIME](#) (12/14), the [Washington Post](#) (12/14, Mooney, Eilperin), [The Hill](#) (12/14, Cama), [Greenwire](#) (12/14), the [Washington Examiner](#) (12/14) and the websites of [CBS News](#) (12/14, Flores) and [ABC News](#) (12/14) also provide similar coverage.

**House Democrats Concerned Over Targeting Of DOE Staff.** [The Hill](#) (12/14, Henry) reports that in a Wednesday letter to Vice President-elect Mike Pence, top Democrats on the House Oversight and Energy committees called the Trump team’s inquiry “troubling,” saying it could pose an “ideological ‘litmus test’ to career civil servants.” Democrats are seeking a copy of the request the transition team sent to DOE seeking names of employees who have worked on climate change.

### **Trump Taps Perry To Head Energy**

**Department.** [Reuters](#) (12/14) reports that President-elect Trump has selected former Texas Gov. Rick Perry to head the Department of Energy, a choice that was “welcomed” by the US oil and gas industry, which “wasted no time making its first specific request of him: to support increased exports of America’s natural gas overseas.” Reuters says Trump’s choice of Perry “adds to a list of drilling proponents” selected for top jobs in his Administration. While this concerns environmental groups, it “fit[s] neatly with Trump’s promise to revive oil and gas drilling and coal mining as president by cutting back on federal regulation.”

[The Hill](#) (12/14, Balluck) reports in a statement announcing the nomination, Trump said, “As the Governor of Texas, Rick Perry created a business climate that produced millions of new jobs and lower energy prices in his state, and he will bring that same approach to our entire country as Secretary of Energy. ... My administration is going to make sure we take advantage of our huge natural resource deposits to make America energy independent and create vast new wealth for our nation, and Rick Perry is going to do an amazing job as the leader of that process.”

[USA Today](#) (12/14, Jackson) reports that in a statement Perry said, “I know American energy is critical to our economy and our security. I look forward to engaging in a conversation about the development, stewardship and regulation of our energy resources, safeguarding our nuclear arsenal, and promoting an American energy policy that creates jobs and puts America first.” The [AP](#) (12/14) reports Perry said it is “a tremendous honor” to be selected for the Cabinet. [Bloomberg News](#) (12/14, Dopp) reports that as the governor of Texas, Perry “oversaw a state that is a powerhouse in both fossil fuels and renewables.” Texas “is the nation’s biggest producer of oil and,

thanks to a wave of turbine installations, has the capacity to generate more wind energy than any other state.”

Newsday (NY) (12/14, Figueroa, Ngo) reports Republican National Committee communications director Sean Spicer “called Perry, a former GOP presidential candidate, one of the most successful governors in modern history” and said he would bolster the country’s natural gas and other resources to make it more energy-independent.”

The Christian Science Monitor (12/14) reports the nomination “seems to augur a sea change at the department, putting a figure with close ties to the oil industry – and outspoken antipathy toward the agency itself, having pledged to dissolve it during a 2012 run for president – in a post with unparalleled influence over energy investment policies.” Among the DOE’s “responsibilities is the management of 17 labs dedicated to research and innovation for the energy sector, and the maintenance and security of nuclear weapons.”

The Washington Times (12/14, Sherfinski) reports that in 2011 during a GOP presidential debate, Perry “famously could not name the energy department as the third federal government department he wanted to eliminate in a stunning ‘oops’ moment that helped torpedo his candidacy in the 2012 primary cycle.”

The Houston Chronicle (12/14, Chronicle) reports Democrats and green groups “chafed at what they see as an oil industry champion who, though a long-time governor, brings little technical expertise to the debates on climate change – which he questions – and the department’s core mission of securing nuclear stockpiles, including the nation’s nuclear weapons.”

ClimateWire (12/14) reports a statement from the Democratic National Committee said, “Rick Perry has made loud and clear that he’s a climate change denier and doesn’t think that the federal government should ensure that every American has access to clean air, land or water.”

The Seattle Post-Intelligencer (12/14) reports Sen. Patty Murray is worried about Perry’s nomination on “two counts: Washington state has, at the Hanford Reservation, the largest nuclear waste cleanup effort in the world, a Department of Energy project. And Perry has a record of bizarre statements and actions on climate.” Murray said, “I am deeply troubled by Governor Perry’s past statements regarding climate change and his obvious ties to Big Oil.” The Tri-City Herald (WA) (12/14) reports Murray indicated that “any effort to

roll back progress at the Hanford nuclear reservation or to shortchange Pacific Northwest National Laboratory under the administration of President-elect Donald Trump will be met with swift opposition.” She stated, “Washington state is home to one of the largest nuclear cleanup efforts in the world, so I cannot stress enough how critical it is to have strong, able leadership at the U.S. Department of Energy to guide the cleanup at Hanford.”

The Aiken (SC) Standard (12/14) reports, South Carolina Republicans Sen. Lindsey Graham and Rep. Joe Wilson praised the choice of Perry to head DOE. Graham said, “He is a great choice to lead DOE which has a substantial impact on South Carolina. I look forward to discussing the future of the Savannah River Site (SRS) with Governor Perry and making the case for how important the site and national lab are to the nation.” While Wilson stated, “With Governor Perry, I am confident we can accomplish an ‘all of the above’ energy policy – one that includes finishing Yucca Mountain, supporting SRS, completing MOX, building the Keystone Pipeline which produces jobs at Michelin of Lexington, and advancing energy independence.”

Politico (12/14) says that “energy policy” is not the “chief responsibility” of the DOE but rather it is “maintaining and overseeing the country’s nuclear weapons stockpile and cleaning up nuclear waste, a role critical to America’s national security.” That is the “reason that President Barack Obama’s two energy secretaries, Ernest Moniz and Steven Chu, were both physicists.” But, Politico continues “that Perry is not a nuclear physicist does not disqualify him from the role, of course.” However, it means “that he would be well-suited to have a deputy who has a background in physics.”

The AP (12/14) reports Perry “has close ties to the Texas oil industry and has corporate roles in two petroleum companies pushing to get government approval for the proposed” Dakota Access Pipeline project “that has stoked mass protests in North Dakota.” Those roles are “a strong indicator of the pro-oil industry sentiment that will likely take root at the Energy Department under his oversight.”

Reuters (12/14, Kapoor) reports United Nations environment chief Erik Solheim signaled on Wednesday that the denial of climate science by “some elite US politicians” is “worrying” but “that the fight against global warming would continue, even without the United States.”

President-elect Donald Trump in the past has “dismissed climate change as a ‘hoax’” and promised “during his campaign to pull the United States out of the Paris Climate Agreement, a deal among nearly 200 countries to curb global warming.” Perry is noted among the cabinet appointees that have “cast doubt on the science behind climate change.” Solheim added, “If the United States, in the worst case, were to withdraw from the Paris Agreement, we will depend more on China. ... China and...many others will provide the global leadership we need.”

The Washington Post (12/14) takes a negative view of Perry’s nomination, arguing that while “the past three energy secretaries have been scientists,” their successor will be “a man who has repeatedly attacked science.” Citing Perry’s “long record” of “railing about ‘doctored data’ and ‘so-called science’” with regard to climate change, the Post argues that “no one who denies the risk of warming altogether is fit to lead the Energy Department.”

The Wall Street Journal (12/14) argues in an editorial that the Energy Department has outlived its usefulness and many of its functions could be absorbed by other agencies. The best service Perry could provide the country, the Journal says, would be to shut the Department down.

James Taylor, president of the Spark of Freedom Foundation, writes for Forbes (12/14) calls Perry “a perfect choice” for energy secretary. Philip Van Horne, CEO of Blue Rock Energy, writes for the “Pundits Blog” of the The Hill (12/14, Van Horne) that while “the choice may seem odd to some Americans” based “on his time spent as governor of Texas, it is clear how he fits into Trump’s previously described plans for the energy sector.” Jennifer Layke, global director of the World Resources Institute’s Energy Program, writes for the “Pundits Blog” of The Hill (12/14, Layke) that although Trump has shown “an unmistakable pattern of selecting individuals with close ties to the fossil fuel industry,” Perry has “demonstrated a wider view on energy, including strong support for wind power.” If he is confirmed, “Perry will have the chance to champion clean energy. ... The American people and the economy would benefit from joining this movement.” Michael E. Webber, deputy director of the Energy Institute at the University of Texas at Austin, and Sheril R. Kirshenbaum, director of the University of Texas Energy Poll, write for Bloomberg View (12/14, Webber, Kirshenbaum) write that Perry’s “gubernatorial record” gives “a reason for hope” to

some in the environmental community. Webber and Kirshenbaum wrote that “while no one yet knows exactly what to expect from Perry as energy secretary, we cautiously hope to see more of the bipartisan, pro-infrastructure, pro-renewables leader who helped Texas reduce emissions.”

The Financial Times (12/14, Samson), Politico (12/14, Nelson), ABC World News Tonight (12/14, story 7, 2:45, Muir), the Chicago Sun-Times (12/14, Sweet), Roll Call (12/14, Braun), the Houston Chronicle (12/14, Barrouquere), CBS News (12/14) and the San Antonio Express-News (12/14) also provide coverage related to Perry’s selection.

**Zinke Is Trump’s “Likely Choice” For Interior Secretary.** The Los Angeles Times (12/14, Yardley) reports that Rep. Ryan Zinke is President-elect Trump’s “likely choice for secretary of Interior,” and “environmental groups have expressed alarm at the prospect of him presiding over” the agency as Trump “has said he plans to roll back regulations in order to unleash a wave of fossil-fuel energy production.” Zinke “would not confirm that Trump had offered him the position or that he had accepted it, but he did say he expected to make an announcement on Thursday and he discussed changes he wanted to see in the management of public lands as well as his view that climate change science is ‘unsettled.’” The Times adds that while Zinke “says he believes in ‘multiple uses’ for public lands and preserving them for posterity,” conservation groups argue that “what he has said and how he has voted have been hard to reconcile at times.”

## **RULES/REGULATIONS/POLICY**

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**Agencies Preparing For Regulatory Freeze.** The Hill (12/14, Wheeler) reports, “President-elect Donald Trump’s promise to freeze the regulatory work of federal agencies come Jan. 20 has liberal advocates and federal employees on edge.” The article reports lobbying groups are preparing especially for “a battle over public health and worker protections,” while business groups have come out in support of reducing the regulatory burden. US Chamber of Commerce President and CEO Tom Donohue said he sees “an extraordinary opportunity to

reverse that growth and modernize the entire regulatory system.” An unnamed EPA employee said, “I have a certain amount of anxiety or worry about what the future might bring.”

### **Williams: Fracking Has Already Accomplished What RFS What**

**Intended To Do.** In an op-ed in [Philly \(PA\)](#), (12/15) David Williams, president of the Taxpayers Protection Alliance, calls on the incoming Trump administration to end the EPA’s Renewable Fuel Standard, describing it as a “fundamentally ill-conceived policy that has failed to help the environment or the economy and has cost taxpayers billions of dollars.” According to Williams, the program’s primary goal to reduce American dependence on foreign oil has now been achieved not by renewables, but thanks to “innovative drilling techniques such as fracking [that] have opened up vast new swaths” of American oil supplies.

## **TOXICS/TSCA:**

### **Trade Groups Offer Differing Outlooks For EPA Under Pruitt.**

[Bloomberg BNA](#) (12/15, Rizzuto) reports that the American Chemistry Council issued a statement welcoming Scott Pruitt as Trump’s nominee for head of the EPA, stating, “we share Mr. Pruitt’s view that EPA’s regulatory decisions should be based on sound scientific evidence, and we look forward to working with the new EPA Administrator and the dedicated staff at the EPA to implement the nation’s key environmental statutes in a fair, efficient and effective manner.” Meanwhile, the American Sustainable Business Council warned that Pruitt’s “views could harm chemical and other businesses.”

## **WATER:**

### **Appellate Judge: Trial Judge Did Not Have Authority To Restrict Access To Flint Data.**

The [Detroit News](#) (12/14, Chambers) reports Michigan Court of Appeals Judge Elizabeth Gleicher said during oral argument that Judge Geoffrey Neithercut of Michigan’s 7th Circuit court in Genesee County did not have the authority to issue a confidential order restricting state agencies from accessing Flint health data. Gleicher said, “You are telling

officials in Genesee County how to do their work. What authority did Judge Neithercut have to do that?...In my view, there was no authority.” The article notes that the Department of Health and Human Services has requested that the order be lifted in order to help the federal government address the Flint water crisis.

### **Flint Reaches One Year Since Mayor Declared Emergency Over Water.**

On its website, [Michigan Radio](#) (12/14, Carmody) reports one year has passed since the mayor of Flint declared a state of emergency because the city’s water was contaminated with lead. The article points out that the Flint water crisis “attracted national outrage and sympathy, as well as millions of gallons of donated water” a year ago, but now “donations have slowed to a trickle and unfiltered water is still unsafe to drink.”

**Michigan Appellate Judge Says Trial Judge Did Not Have Authority To Issue Order Restricting Access To Flint Health Data.** The [Detroit News](#) (12/14, Chambers) reports Michigan Court of Appeals Judge Elizabeth Gleicher said during oral argument that Judge Geoffrey Neithercut of Michigan’s 7th Circuit court in Genesee County did not have the authority to issue a confidential order restricting state agencies from accessing Flint health data. Gleicher said, “You are telling officials in Genesee County how to do their work. What authority did Judge Neithercut have to do that?...In my view, there was no authority.” The article mentions that the US Department of Health and Human Services has requested that the order be lifted in order to help the federal government address the Flint water crisis.

### **Michigan Senate Committee Passes Bill Requiring Environmental Department To Notify Local Residents If State Officials Find Problems With Water.**

The [Detroit Free Press](#) (12/14, Gray) reports the Michigan Senate Government Operations committee passed a bill that would require the Department of Environmental Quality “to notify city residents within three business days if state officials find there are problems with the water in the community.” The full Michigan Senate is now considering the bill.

### **Researchers Say Water Filters In Flint May Increase Bacteria Spread.**

[MLive \(MI\)](#) (12/14) reports researchers from the Flint Area Community Health and Environment



Partnership say that water filters may have the unintended consequence of encouraging the spread of bacteria. The researchers “presented their findings from a study tracking Legionellosis cases and chlorine levels in Flint water and outside the county during a Wednesday, Dec. 14, panel open to the community at the Flint Public Library.” They recommend “[letting] water run through the filter for at least one minute to let the bacteria that has built up in the activated carbon filter disperse,” or disinfecting the filter with boiling water or UV light.

**Editorial: Michigan Must Continue To Provide For Flint Residents.** The [Detroit News](#) (12/14) writes in an editorial that the State of Michigan has an ongoing duty to provide bottled water to any homes in Flint where there may still be a “any question of water safety.” The paper says, “The court order might be onerous and federal testing requirements seem to be lagging the improved results [researchers] and the state have seen, but the state must realize it has an ongoing commitment to meet the needs of Flint residents and restore their trust.”

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